

THESE ANSWERS ARE PROVIDED BASED UPON THE MOST ACCURATE INFORMATION WE HAVE TO DATE, HOWEVER, THIS COULD BE SUBJECT TO CHANGE AT ANY TIME.

MME WORKSHOP 06/17/14 AT 5:30 P.M.

1. **Question:** On the business financial there a statement that says “please provide documents detailing the source of funding,” does that mean that every owner needs to provide tax statements, bank accounts, etc.?
Answer (a): **On the business questionnaire, if personal funds are being used as a source of funds for the business, then YES the documentation must be submitted.**
2. **Question:** On the same package – what is the checklist?
Answer (a): **Checklists: 1) Planning SUP Checklist
2) Compliance Permit Checklist from Business Licensing
3) Building Department Checklist**
3. **Question:** Are the checklist specific to the type of business applying?
Answer (a): **Yes, specific to the type of business applying.**
4. **Question:** If I came here as an attorney representing more than one client, but I only signed up for one business, can I get more than one checklist?
Answer (a): **Yes.**
5. **Question:** If I represent a cultivation facility located outside of the City of Las Vegas that wants to sell to a dispensary located inside the City, what procedure do I go through for that?
Answer (a): **A Compliance Permit is not required. An out of area business may apply for a license after receiving a State registration certificate and a license from their home entity. See LVMC 6.95.100.**
6. **Question:** On the business plan, page 4 – so if we are not putting in funding, we do not have to provide bank statements, tax returns or other documents?
Answer (a): **Every person with an “ownership interest” must fill out the Personal Financial Statement and provide all relevant documents. The Business Financial must list all sources of funding and provide relevant documents. A definition of ownership interest is provided in LVMC 6.95.020. One Personal Financial Form per person holding an ownership interest. One Business Financial Form for the business totaling up all the funding sources for the proposed business.**
7. **Question:** I was told that they only want tax returns if you are from Nevada, is that correct?
Answer (a): **No, if you are putting in personal funds, you need to provide 3 years tax returns and the source of those personal funds.**
8. **Question:** The sign and elevation – one folded and one rolled, what are they talking about?
Answer (a): **Copies of the actual plans. All sized 11x17. One rolled so that when it is scanned it does not show creases.**

9. **Question:** Statement of financial interest form, it says one from each “property owner.” I thought I heard business owner, is there a difference?
Answer (a): **The Licensing process and the Land Use process are two different processes. The Land Use/Special Use Permit needs to include all the owners of the property requesting the SUP.**
10. **Question:** Does it include only the two suites we are renting, or the whole strip mall ownership?
Answer (a): **Whoever owns that property, if it is a pad within a strip mall, then whoever owns that pad. If there are multiple owners of the section or strip mall, we need ALL the owners of the property. We need a statement of financial interest for EACH of the owners of that property.**
11. **Question:** In a dispensary, what are they considering hazardous materials?
Answer (a): **Any of the chemicals or solvents that are identified as applying to group H occupancies in the International Building Code or the International Fire Code.**
12. **Question:** An applicant does not necessary have to be the property owner?
Answer (a): **The Land Use application requires the owners’ participation through the statement of ownership interest. The licensing regulations would require participation by the owner, if a property owner is getting a percentage of profit, then they must comply with the business licensing ownership interest requirements.**
13. **Question:** When referring to these definitions, are we referring to Title 19, Chapter 20 section 70?
Answer (a): **Title 19, Chapter 12.70 and updates to Title 19.18 for definitions.**
14. **Question:** Are these the same as the State definitions in NRS 453A.056?
Answer (a): **Applicants will need to review the NRS and compare; these were written to align.**
15. **Question:** Can a family trust be a partial owner?
Answer (a): **Yes.**
16. **Question:** Does every beneficiary of the trust need a financial statement, even if they are minor children?
Answer (a): **Yes, every beneficiary 18 or older. Minor children should be submitted on a list with an attached copy of their birth certificate.**
17. **Question:** Operating and consulting agreements, does that include an attorney/client retainer?
Answer (a): **If it is based on revenue or percentage of profit, yes.**
18. **Question:** If the marijuana product is being moved into the City from outside, it doesn’t need a compliance permit, just a business license after state approval, is that correct.
Answer (a): **Correct, no Compliance Permit required for facilities located outside of the City. See LVMC 6.95.100.**
19. **Question:** And that license wouldn’t need to be applied for during the 10 day window?
Answer (a): **Correct, licenses for facilities located outside of the city do not need to apply**

during the 10 day window.

20. **Question:** On page 4, bottom slide. There is a requirement that you submit a State application and any discrepancies may put the application at risk. Are you concerned about the information submitted or the format of the application to the State?
Answer (a): **The content of the information.**
21. **Question:** On the Personal Financial Questionnaire, it says that spouses and domestic partners may be required to submit suitability documentation if the source of the personal investment are shared. What if they have separate assets?
Answer (a): **If they are SEPARATE assets, and the spouse/domestic partner has nothing to do with the business, and there are NO shared finances, then the spouse/domestic partner would not have to submit.**
22. **Question:** Any person contributes funding, must come forward. What if someone was lending money? Investor or firm?
Answer (a): **Unless it is from a State of Nevada licensed financial institution, they will have to submit a Personal History Form and a Financial Questionnaire.**
23. **Question:** Lab, you don't need Land Use, so what do you need?
Answer (a): **After receiving a State registration certificate, a lab may apply for a business license issued by the City for a medical marijuana laboratory. This is a privilege license and appropriate personal history and financial forms will be required.**
24. **Question:** With regards to the Financial Questionnaire, if you are an owner, but not putting any funding – do I still have provide tax forms?
Answer (a): **No. You must provide a complete form and list all of the items on the form. The business financial form will list and provide documentation for all the sources of funding for the business.**
25. **Question:** First presentation - Slide 4 – justification letter. How does the project meet/supports the city regulations – I am basically putting every single policy and regulation that I am meeting for this project?
Answer (a): **The Planning Application website has a bullet point justification letter showing what we are looking for. Applicants should refer to that sample letter.**
26. **Question:** FBI background check, if we have had one recently – how much time needs to be in place for that?
Answer (a): **FBI checks are valid for 90 days, and only need to be completed if the applicant has lived outside the state of Nevada anytime during the last 10 year period. Applicants may also have the option of providing a letter from their local police department. We will allow police letters no more than 60 days old and FBI background checks no more than 90 days old.**
27. **Question:** So, they are not required for applicants?
Answer (a): **Instate applicants do NOT need to provide an FBI check or letters, only applicants that have lived out-of-state during that time period. The City has access to instate criminal history records.**

28. **Question:** In regards to proprietary information on the application, do we mark it confidential at the bottom of the page and then it remains “lock and key?”
Answer (a): **We will post the answer to this question soon.**
29. **Question:** For Compliance Permit, what if I don’t have a location or establishment yet?
Answer (a): **Applicants will need to wait for the next opening of compliance permits.**
30. **Question:** How many licenses will you approve?
Answer (a): **This is for approval of a Compliance Permit to submit to the State of Nevada. The current process is not for licensing. An applicant will need an approved Compliance Permit, a Certificate of Registration from the State of Nevada prior to being eligible for a business license.**
31. **Question:** Is there a residential setback?
Answer (a): **No.**
32. **Question:** On parking, it’s like for 170 for each parking space, so if it’s in a mixed use or retail center, how do you identify the spaces. How will you calculate?
Answer (a): **Parking for dispensaries is 1 to 175 and will be calculated just as any other development per Title 19.**
33. **Question:** Did you say there is no limit on the number of cultivation facilities?
Answer (a): **There is no limit at this time. See LVMC 6.95.240**
34. **Question:** In the Downtown area, now that they have allowed dispensaries to be on Las Vegas Boulevard and Fremont, those properties are in the Centennial Plan. My understanding is that those are exempt from parking, is that correct?
Answer (a): **The Centennial Plan standards are not automatically applied, they still may be considered in the special use permit process. We require that you show what parking is required. If you provide any parking or have it available on adjacent sites, you need to provide that information on your Land Use application. Note parking available in the area, street or location to mass transit should be provided to substantiate reduced parking. A variance would not be required.**
35. **Question:** So, it would be done on a case by case basis?
Answer (a): **That is the way parking is considered for any project in the Centennial Plan area.**
36. **Question:** Continuing on the parking. Will the parking be based on the square of the business use, or the full property? Should storage be included?
Answer (a): **Storage would be included in the calculation of gross square footage for calculating parking.**
37. **Question:** As far as fingerprinting. Are we restricted to which companies we can use?
Answer (a): **There is a link on the Medical Marijuana website for approved channelers and also on the FBI website.**
38. **Question:** Can you explain the projects of regional significance and anything that is within 500

feet of unincorporated Clark County?

Answer (a): Any use permit for a location of 500 feet of another jurisdiction requires a 3 page form available on the Planning Website.

39. Question: When applying for a license and you have problem with your landlord or you outgrow your facility, what is going to be the process for moving your location?

Answer (a): A new application, a new Special Use Permit and approval from the State of Nevada. Each applicant will have a required 2 year review. See LVMC 6.95.170.

40. Question: What if we apply and we get the license and the landlord has an immediate problem.

Answer (a): The approval is site specific. A new application would be required when the City opens a new Compliance Permit Application period.

41. Question: My client's mom is giving him the money; does the mom have to fill out of the forms even if it is a personal loan and she doesn't have an interest in this business?

Answer (a): Yes.

42. Question: In the survey, do you want to see the boundary of another jurisdiction if you are within 500 or 1000 feet of that line – do you want to see that line on the survey?

Answer (a): If you are within 500 feet, yes.

43. Question: So the jurisdictional boundary is not considered a barrier to such things as parks or schools? They count regardless of if they are in the City or not?

Answer (a): This is a state requirement and the distance separation applies regardless of any jurisdictional boundaries. All schools, parks etc. should be shown regardless of if they are located within the city boundary line.

44. Question: If my architect is in California, can I hire a contractor here in Nevada to present everything? Or do I have to hire another Nevada architect to redraw everything?

Answer (a): If a Nevada licensed contractor is stamping the plans within the scope of his license, they will be accepted. However, the odor control concept plan and field testing verification procedures must be prepared by a Nevada licensed mechanical engineer, environmental engineer, or similar discipline.

45. Question: For parking, if you have on-street parking – does it have to match the 175 square feet?

Answer (a): On-street parking does not count toward a parking requirement. In the Centennial Plan area downtown, an applicant can request a reduction in parking, but needs to site all parking available including on-street parking , transit, etc.

46. Question: Does that require a pre-application meeting for a variance?

Answer (a): If you are inside the Downtown Centennial Plan area, a variance and additional pre-application meeting is not required. If you are outside the Downtown Centennial Plan area, and are requesting reduced parking, an application would need to apply for a variance and have an additional pre-application meeting.

47. Question: Is there any way to get approval of parking prior to the Special Use Permit?

Answer (a): No.

48. **Question:** What is your expectation of the copy of the application since the State application is not due for a month?
Answer (a): **A copy of complete State application is required.**
49. **Question:** When do you expect to issue Compliance Permits?
Answer (a): **October.**
50. **Question:** Is Planning Commission final action?
Answer (a): **No. Planning Commission anticipates to hear Special Use Permit applications in September and Compliance Permits will be reviewed by the City Council in October or upon completion of the Planning Commission review of Special Use Permits.**
51. **Question:** What is the function of the Downtown review committee? Are they making recommendations or can they deny an application?
Answer (a): **The Downtown Review Committee is looking at the façade of the building and the signage, the architectural features and aesthetics. They recommend changes to the building to ensure compliance with existing codes.**
52. **Question:** How many applications can we do on a single ticket?
Answer (a): **When an applicant pulls a Q-Matic ticket, they may submit all the applications they have with them at that time.**
53. **Question:** Business License – page 3, ownership documents. Articles of Incorporation and Articles of Organization, I don't know if you can have both?
Answer (a): **The slide lists examples of the types of documents that must be submitted.**